

**Dinsmore & Shohl** LLP  
ATTORNEYS

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March 31, 2008

RECEIVED

APR - 3 2008  
PUBLIC SERVICE  
COMMISSION

Mr. Michael F. Burford  
Director of Filings Division  
Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

*RE: Application of Cumberland Cellular Partnership for issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Cedar Flats), Case No. 2008-00028*

Dear Mr. Burford:

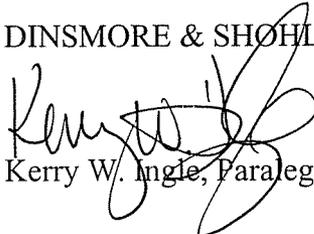
Enclosed for filing with the Kentucky Public Service Commission are an original and five (5) copies of the Federal Aviation Administration (FAA) and Kentucky Airport Zoning Commission (KAZC) approvals for the above referenced cellular tower application.

If you have any questions with respect to this matter, please call me.

Thank you very much.

Very truly yours,

DINSMORE & SHOHL LLP



Kerry W. Ingle, Paralegal

kwi  
Enclosures



Federal Aviation Administration  
 Air Traffic Airspace Branch, ASW-520  
 2601 Meacham Blvd.  
 Fort Worth, TX 76137-0520

Aeronautical Study No.  
 2008-ASO-701-OE

Issued Date: 03/13/2008

Scott McCloud  
 Bluegrass Cellular, Inc.  
 2902 Ring Road  
 Elizabethtown, KY 42701

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Cedar Flats
Location:	Tompkinsville, KY
Latitude:	36-45-08.19N NAD 83
Longitude:	85-46-41.09W
Heights:	255 feet above ground level (AGL) 1263 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

This determination expires on 09/13/2009 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 838-1994. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2008-ASO-701-OE.

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**Signature Control No: 560281-101853379**

(DNE)

Linda Steele  
Technician

Attachment(s)  
Frequency Data

7460-2 Attached

Frequency Data for ASN 2008-ASO-701-0E

<b>LOW FREQUENCY</b>	<b>HIGH FREQUENCY</b>	<b>FREQUENCY UNIT</b>	<b>ERP</b>	<b>ERP UNIT</b>
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W

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Kentucky Airport Zoning Commission  
90 Airport Road, Bldg 400  
Frankfort, KY 40601

*Cedar Flats*  
502-564-4480  
fax: 502-564-7953  
No.: AS-086-TZV-08-015

March 18, 2008

APPROVAL OF APPLICATION

APPLICANT:  
BLUEGRASS CELLULAR  
SCOTT MCCLLOUD  
2902 RING ROAD  
Elizabethtown, KY 42702

SUBJECT: AS-086-TZV-08-015

RECEIVED  
APR - 3 2008  
PUBLIC SERVICE  
COMMISSION

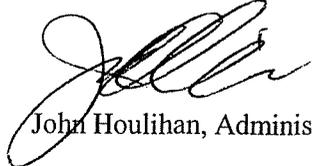
STRUCTURE: Antenna Tower  
LOCATION: ~~Tonmpkinsville, KY~~  
COORDINATES: 36-45-08.19 N / 85-46-41.09 W  
HEIGHT: 255'AGL/1263'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 255'AGL/1263'AMSL Antenna Tower near Tonmpkinsville, KY 36-45-08.19 N / 85-46-41.09 W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual obstruction lighting is required in accordance with 602 KAR 50:100.

  
John Houlihan, Administrator



Kentucky Airport Zoning Commission
90 Airport Road, Bldg 400
Frankfort, KY 40601

502-564-4480
fax: 502-564-7953
No.: AS-086-TZV-08-015

CONSTRUCTION/ALTERATION STATUS REPORT

March 18, 2008

AERONAUTICAL STUDY NUMBER: AS-086-TZV-08-015

BLUEGRASS CELLULAR
SCOTT MCCLOUD
2902 RING ROAD
Elizabethtown, KY 42702

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on March 18, 2008. This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within the said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit. When appropriate, please indicate the status of the project in the place below and return this letter to John Houlihan, Administrator, Kentucky Airport Zoning Commission, 90 Airport Road, Bldg 400, Frankfort, KY 40601. 502-564-4480.

STRUCTURE: Antenna Tower
LOCATION: Tonmpkinsville, KY
COORDINATES: 36-45-08.19 N / 85-46-41.09 W
HEIGHT: 255'AGL/1263'AMSL

CONSTRUCTION/ALTERATION STATUS

1. The project ( ) is abandoned. ( ) is not abandoned.

2. Construction status is as follows:

Structure reached its greatest height of \_\_\_\_\_ ft. AGL
\_\_\_\_\_ ft. AMSL on \_\_\_\_\_ (date).

Date construction was completed. \_\_\_\_\_

Type of obstruction marking/painting. \_\_\_\_\_

Type of obstruction lighting. \_\_\_\_\_

As built coordinates. \_\_\_\_\_

Miscellaneous Information: \_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE/TITLE \_\_\_\_\_

Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 125 Holmes Street, Frankfort KY 40622

Kentucky Aeronautical Study Number

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

AS-086-TZV-08-015

1. APPLICANT - Name, Address, Telephone, Fax, etc.

Scott McCloud  
Bluegrass Cellular  
2902 Ring Road  
Elizabethtown, KY 42702  
Tel: 270-769-0339  
Fax: 270-737-0580

9. Latitude: 36 ° 45 ' 8 " N

10. Longitude: 85 ° 46 ' 41 " W

11. Datum:  NAD 83  NAD 27  Other

12. Nearest Kentucky City Tompkinsville County: Monroe

13. Nearest Kentucky public use or Military airport:

Tompkinsville - Monroe Co. Airport

14. Distance from #13 to Structure: 7.2 miles

15. Direction from #13 to Structure: WNW

16. Site Elevation (AMSL): 1008 Feet

17. Total Structure Height (AGL): 255 Feet

18. Overall Height (#16 + #17) (AMSL): 1263 Feet

19. Previous FAA and/or Kentucky Aeronautical Study Number(s):

N/A

20. Description of Location: (Attach a USGS 7.5 minute Quadrangle Map or an Airport Layout Drawing with the precise site marked and any certified survey)

Site is located at:  
5612 Old Glasgow Road  
Tompkinsville, KY 42167

2. Representative of Applicant - Name, Address, Telephone, Fax

Leila Rezanavaz  
Lukas, Nace, Gutierrez & Sachs, Chartered  
1650 Tysons Blvd., Suite 1500  
McLean, VA 22102  
T: 703-584-8668

3. Application for:  New Construction  Alteration  Existing

4. Duration:  Permanent  Temporary (Months \_\_\_\_\_ Days \_\_\_\_\_)

5. Work Schedule: Start 3/20/08 End 3/25/08

6. Type:  Antenna Tower  Crane  Building  Power Line  
 Landfill  Water Tank  Other \_\_\_\_\_

7. Marking/Painting and/or Lighting Preferred:

Red Lights and Paint  Dual - Red & Medium Intensity White  
 White - Medium Intensity  Dual - Red & High Intensity White  
 White - High Intensity  Other \_\_\_\_\_

8. FAA Aeronautical Study Number 2008-ASO-701-OE

21. Description of Proposal:

Structure: Proposed self support tower with top-mounted antennas for overall height of 255' AGL

ERP: 250 watts

Frequencies: Cellular Band B

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1)

been filed with the Federal Aviation Administration?

No

Yes, When 2/5/08

CERTIFICATION: I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief.

Leila Rezanavaz / Consulting Engineer

*Leila Rezanavaz*

2/6/08

Printed Name

Signature

Date

PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050: Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Non-compliance with Federal Aviation Administration Regulations may result in further penalties.

Commission Action:

Chairman, KAZC

Administrator, KAZC

Approved  
 Disapproved

*[Signature]*

Date 3-18-08